

STATE OF GEORGIA }
CITY OF EASTMAN }
 }
Ordinance 2024-007 }

FINES AND PENALTIES FOR GENERAL VIOLATIONS

ORDINANCE NO.: 2024-007

AN ORDINANCE TO AMEND CHAPTER I GENERAL PROVISIONS, OF THE CODE OF ORDINANCES OF THE CITY OF EASTMAN, GEORGIA; TO INCREASE AND CONSOLIDATE FINES FOR GENERAL VIOLATIONS; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, Article IX, Section II, Paragraph II of the Constitution of the State of Georgia, entitled “Home Rule for Municipalities,” allows the General Assembly to provide by law for the self-government of municipalities and to that end is expressly given authority to delegate its power so that matters pertaining to municipalities may be dealt with without the necessity of action by the General Assembly; and

WHEREAS, the Georgia legislature passed *The Municipal Home Rule Act of 1965*, codified under O.C.G.A. § 36-35-1, *et seq.*, authorizing municipal governments to adopt clearly reasonable ordinances, resolutions, or regulations for which no provision has been made by general law; and

WHEREAS, the governing authority of the City of Eastman is the City Council; and

WHEREAS, the City of Eastman, Georgia, has the legislative power to adopt ordinances, resolutions, or regulations relating to its property, affairs, and local government for which no provision has been made by general law, and which are not inconsistent with the Constitution of the State of Georgia, or any charter provision applicable thereto; and

WHEREAS, the governing authority of the City of Eastman desires to adopt a revised ordinance pertaining to general violations; and

WHEREAS, the health, safety, and welfare of the citizens of

Eastman, Georgia, will be positively impacted by the adoption of this Ordinance; and

WHEREAS, the governing authority of the City of Eastman has read and considered the proposed Ordinance;

NOW THEREFORE, IT IS HEREBY ORDAINED by the City Council of the City of Eastman, pursuant to the authority vested in that body under the laws of the State of Georgia that:

Section 1.

CHAPTER 1, SECTION 1-8. – GERNAL PENALTY; CONTINUING VIOLATIONS – is hereby amended by the addition of subsection (e) which states the following:

“Fines and penalties for general violations shall be set by the table provided in Exhibit A. The table may be amended from time to time by the city council. The table shall be maintained by the Clerk of the Municipal Court.”

Section 2.

The preamble of this Ordinance shall be considered to be and is hereby incorporated by reference as if fully set forth herein.

Section 3.

It is hereby declared to be the intention of the City Council that all sections, paragraphs, sentences, clauses, and phrases of this Ordinance are or were, upon their enactment, believed by the Council to be fully valid, enforceable, and constitutional.

Section 4.

In the event any phrase of this Ordinance shall, for any reason, be declared invalid, unconstitutional, or otherwise unenforceable by the valid judgment or decree of any court of competent jurisdiction, it is the express intent of the Council that such invalidity, unconstitutionality, or unenforceability shall, to the extent allowed by law, not render invalid, unconstitutional, or otherwise unenforceable any of the remaining phrases and that all remaining phrases shall remain valid and of full force and effect.

Section 5.

All ordinances and parts of ordinances in conflict herewith are hereby expressly repealed.

Section 6.

The effective date of this Ordinance shall be the date of its second reading.

ORDAINED by the City Council of the City of Eastman, pursuant to the authority vested in that body under the laws of the State of Georgia:

INTRODUCED the _____ day of _____ 2024, the first reading.

ADOPTED the _____ day of _____ 2024, the second reading.

EFFECTIVE on the date of the Second Reading.

CITY OF EASTMAN

ATTEST:

Graham Snyder, Chair

April Sheffield, City Clerk

STATE OF GEORGIA }
 CITY OF EASTMAN }
 }
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EXHIBIT "A"

TABLE OF GENERAL VIOLATIONS AND FINES

Animal at Large	\$200.00
Animal at Large (2 nd Offense)	\$400.00
Animal at Large (3 rd Offense)	\$600.00
Inappropriate Dress in Public Place	\$100.00
Inappropriate Dress in Public Place (2 nd Offense)	\$200.00
Inappropriate Dress in Public Place (3 rd Offense)	\$300.00
Burning Trash or Debris in City	\$185.00
Burning Trash or Debris in City (2 nd Offense)	\$325.00
Burning Trash or Debris in City (3 rd Offense)	\$500.00
Commercial Vehicle in Residential Area	\$500.00
Damaging City Property	\$300.00
Discharging Firearm in City	\$485.00
Drinking in Public	\$185.00
Keeping a Nuisance	\$300.00
Littering	\$385.00
Livestock at Large	\$200.00
Nuisance	\$385.00
Operating a Business Without License	\$500.00
Operating Business After Hours	\$500.00
Possessing Too Many Animals	\$300.00
Remaining Uninvited on Property	\$300.00
Driving Commercial Truck on Unauthorized Roads	\$350.00
Violation of Noise Control	\$385.00
Debris in Roadway	\$150.00

Discharge of Untreated Polluted Water and Debris in Waterways and Sewer System	\$500.00
Discharge of Untreated Polluted Water and Debris in Waterways and Sewer System (2 nd Offense)	\$1,000.00
Discharge of Untreated Polluted Water and Debris in Waterways and Sewer System	Up to 3x the original fine/penalty
Use of Streets for Storage Place	\$385.00
Violation of Signs & Billboards Ordinance	\$185.00
Building Without Permit	\$195.00
Building Without Permit (2 nd Offense)	\$390.00
Building Without Permit (3 rd Offense)	Up to 3x the original fine/penalty
Loitering or Vagrancy	\$295.00
Abandoned Appliances or Furniture	\$275.00
Dwelling, Building, or Structure Unfit for Habitation	\$385.00
Solid Waste Collection Violation	\$360.00
Misuse of Solid Waste Container	\$150.00
Abandoned Vehicles	\$385.00
Pool Hall Open After Hours	\$385.00
Interference with Utility Property	\$385.00
Theft of City Utility Services	\$285.00
Damaging Tree or Shrub on Private Property	\$285.00
Zoning Use Requirements	\$385.00
Tap/Extend Water Service Line	Actual costs of repair(s) & fine of \$300.00
Tampering with meter	Actual costs of repair(s) & fine of \$300.00 to be added to water bill

**Unless otherwise indicated, the first offense shall be as stated, the second offense shall be twice the amount as the first offense, and the third offense shall be triple the amount of the first offense. **